

FINAL

**MINUTES OF THE COTTONWOOD HEIGHTS CITY
PLANNING COMMISSION MEETING**

Wednesday, June 6, 2012

6:00 p.m.

**Cottonwood Heights City Council Room
1265 East Fort Union Boulevard, Suite 300
Cottonwood Heights, Utah**

ATTENDANCE

Planning Commission Members:

Perry Bolyard, Chair
Jennifer Shah
James S. Jones
Joseph L. Scott
Paxton Guymon
Gordon Walker
Lindsay Holt

City Staff:

Brian Berndt, Planning Director
Shane Topham, City Attorney
Kory Solorio, Deputy City Recorder

Others:

Jody Burnett, Legal Counsel
Steven Deng, Youth City Council Representative

BUSINESS MEETING

1.0 WELCOME/ACKNOWLEDGEMENTS – Chair Bolyard.

Chairman Bolyard called the meeting to order at 6:00 p.m.

2.0 CITIZEN COMMENTS

(18:01:54) City Councilman Scott Bracken introduced himself and was present in his capacity as Youth City Council Advisor. He thanked the Planning Commission for their time spent and noted that Natalie Callahan has served as the Youth Council Representative with the Commission for the last year. He hoped that the new representative would have an equally educational and enjoyable experience. Councilman Bracken reported that Steven Deng will be a Junior next school year and will fill the position vacated by Miss Callahan. He explained that the position involves more than many other Youth Council positions because it requires attending not only City Council Meetings, but Planning Commission Meetings as well. He considered the payoff to be very worthwhile.

Lindsay Holt asked if the City writes a letter of thanks to the young people who serve on the Youth City Council. If not, she expressed interest in signing her name to a thank-you note to Miss Callahan. Councilman Bracken supported the idea. Jennifer Shah remarked that it was a pleasure having Natalie on the Commission and she appreciated the fact that she had enough confidence to actively participate.

3.0 ACTION ITEMS

3.1 (Project #CUP 11-004) Action on a Proposal from Cottonwood Partners Requesting Approval to Construct Two Office Buildings Located at 2750, 2770, and 2800 E. Cottonwood Parkway.

(18:04:50) Chair Bolyard stated that the Commission has had opportunity to study the issues and many meetings have been held on the matter. In the process, the goal was to address all of the concerns. Additionally, input was received from many of the neighbors. Those comments drove the Commission to work harder on their review of the project. Chair Bolyard pointed out that at the last meeting staff was asked to prepare findings of fact. Staff was thanked for their efforts. Commissioner Guymon pointed out that the Commission Members received copies of the proposed written decision of the Planning Commission, which City staff, legal counsel, and the Commission Members reviewed and provided input on.

(18:07:50) Commissioner Guymon moved to approve the application and adopt the written decision in its current, most recent version with only one suggested deletion to page 13, item 7, Item A. Only Option B would remain under Item Number 7. Commissioner Shah seconded the motion.

Commissioner Holt read a written statement expressing appreciation for the time and effort that went into the design of the project by the applicant and their team. The applicant presented plans for what she was certain will become a state-of-the-art facility. She also appreciated the time spent by the applicant working with staff, Members of the Planning Commission, and neighboring residents to include mitigation measures that resulted in a better plan for development. For example, the applicant successfully shifted the buildings and parking structure away from neighboring residents, relocated some of the parking underground, shielded lighting, increased landscape buffers, and relocated trash enclosures. She hoped the neighbors had taken note of that and were considerate of the fact that an effort was made by the applicant and staff to mitigate negative impacts resulting from the project. Commissioner Holt did not believe that the proposed project was the best plan for development of the area. It was her opinion that the Planning Commission should have the right to limit the height of buildings permitted with the conditional use permit due to negative impacts such as aesthetics, noise, light pollution, etc. If the public has issues she stated that it should be with the State Legislature that has tied the City's hands in the case of conditional use permits. She suggested that for future projects that staff ensure that zoning and land use designations be properly considered in advance of applications. She planned to support the motion made only because she considered it the one she is legally required to make.

Commissioner Shah considered the project to be very elegant in terms of design. She noted that much of the mitigation that has occurred should be considered standard in all projects. She

thought it was the right thing to do for the residents, the environment, and building in general. She complimented the designers and the developer on those aspects of the project. She too felt that although it is a very nice project, it is not necessarily appropriate next to a residential area. Due to the Commission's inability to have strong legal support for denial of the project, she planned to vote in favor of it.

Commissioner Jones agreed that it could be a beautiful project but that it was not conducive to a neighborhood environment. He believed several factors could have been mitigated differently and better. Although Cottonwood Partners has gone above and beyond to mitigate negative impacts, he thought more could have and can continue to be done.

Commissioner Guymon wished a way could have been found to require the building heights be the same as the immediately adjacent Blue Cross Buildings.

Chair Bolyard felt similar to those who expressed concerns. He did not like the proposal because of what it does to the neighbors. He wished the Commission had better a history of what was discussed previously and could act accordingly.

Vote on motion: Paxton Guymon-Aye, Lindsay Holt-Aye, Jennifer Shah-Aye, James S. Jones-Nay, Gordon Walker-Nay, Joseph L. Scott-Nay, Perry Bolyard-Aye. The motion passed 4-to-3.

3.2 Approval of the May 16, 2012, Minutes.

(18:16:40) The minutes were reviewed and modified.

Commissioner Shah moved to approve the minutes with the amendment noted by Commissioner Guymon. Commissioner Jones seconded the motion. Vote on motion: Paxton Guymon-Aye, Lindsay Holt-Abstained, Jennifer Shah-Aye, James S. Jones-Aye, Gordon Walker-Aye, Joseph L. Scott-Aye, Perry Bolyard-Aye. The motion passed unanimously with one abstention. Commissioner Holt abstained from the vote as she was not present at the May 16, 2012 Meeting.

4.0 ADJOURNMENT

(18:18:20) ***Commissioner Walker moved to adjourn. Commissioner Jones seconded the motion. Vote on motion: Paxton Guymon-Aye, Lindsay Holt-Aye, Jennifer Shah-Aye, James S. Jones-Aye, Gordon Walker-Aye, Joseph L. Scott-Aye, Perry Bolyard-Aye. The motion passed unanimously.***

The Planning Commission Meeting adjourned at 6:18 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Planning Commission Meeting held Wednesday, June 6, 2012.

A handwritten signature in cursive script, reading "Teri Forbes". The signature is written in dark ink and is positioned above a horizontal line.

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes approved: July 18, 2012